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USDC SDNY

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January 5, 2024

Via ECF

The Honorable Sarah Netburn
 United States Magistrate Judge
 United States District Court
 Southern District of New York
 40 Foley Square
 New York, New York 10007

Re: *Victor's Café 52nd Street, Inc. v. The Travelers Indemnity Company of America*,
S.D.N.Y., Civil Action No. 1:22-cv-07223-ALC-SN

Dear Judge Netburn:

In accordance with the Court's Order dated November 14, 2023 (Doc. No. 53), I write, on behalf of all of the parties, to provide a status update.

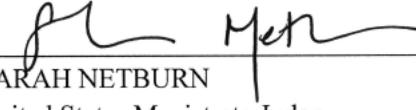
The Travelers Indemnity Company of America ("Travelers") filed a petition to appoint an umpire on November 20, 2023, as an Order to Show Cause. The case was assigned to Justice Lyle E. Frank. Per an order by Justice Frank, Travelers re-filed its Order to Show Cause as a Notice of Petition on December 12, 2023.

Victor's Café 52nd Street, Inc. and Victor's Café, Inc., d/b/a Victor's Café ("Victor's Café") filed its Notice of Cross-Petition on January 2, 2024. The Court has provided that Travelers may respond to Victor's Café's Notice of Cross-Petition by January 12, 2024.

The Parties intend to inform this Court when an umpire has been appointed by Justice Frank.

The parties shall inform the Court when Justice Frank has appointed an umpire. If, by April 8, 2024, an umpire has not yet been appointed, the parties shall file a joint status letter. That letter shall include information about the status of both umpire-selection and discovery.

SO ORDERED.



SARAH NETBURN
 United States Magistrate Judge

Dated: January 8, 2024
 New York, New York